

PATENT

~~DAC~~

# THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kori, et al.

Serial No.: 09/678,266

Confirmation No.: 4642

Filed: October 3, 2000

For: METHOD AND APPARATUS FOR  
DEPOSITING REFRACTORY METAL  
LAYERS EMPLOYING SEQUENTIAL  
DEPOSITION TECHNIQUES TO  
FORM NUCLEATION LAYER

Group Art Unit: 2827

Examiner: Zarneke, David

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## OFFICE OF PETITIONS

MAIL STOP PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF MAILING**

37 CFR 1.8

I hereby certify that this correspondence is being deposited on November 18, 2004 with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

11/18/2004  
Date

Mark Penet  
Signature

**PETITION UNDER 37 C.F.R. § 1.181**

Applicant petitions the Director regarding the handling of the Petition to Withdraw Abandonment under 37 CFR § 1.181 filed February 4, 2003. Applicant filed the petition in response to a Notice of Abandonment dated January 20, 2003. Applicant noted in the petition that the Notice of Allowance was not received by Applicant until January 24, 2003, which was after the issue fee due date of November 13, 2002. The Notice of Allowance was received in an envelope postmarked January 13, 2003. As the Notice of Allowance did not list the correct correspondence address and had a stamp stating "Received SEP-4 2002 Technology Center 2800," Applicant believes that the Notice of Allowance was mailed to an incorrect address, returned to the Patent Office on September 4, 2002, and then re-mailed on January 13, 2003.

In August 2003, Special Program Examiner Hien Phan indicated in a telephone conference that he was handling the Petition to Withdraw Abandonment. However,

DTSV -

EXTERNAL MAIL

Date	Date sent
From	Senders name, Senders location (tech center or section), Phone Number
To	The intended location as specific as possible
Special Note	Special information that the recipient or deliver should know.

Date: 12.07.04

From: Petition 4700

To: 2800

Special Note:

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Applicant has not received a notice that the Petition to Withdraw Abandonment has been granted or denied, and the PAIR system does not indicate that the Petition to Withdraw Abandonment was received and entered.

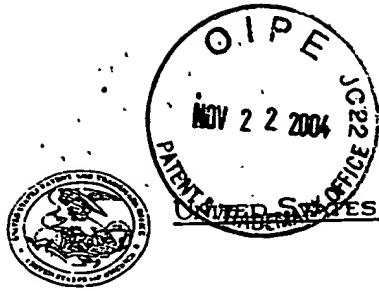
Attached are copies of the Petition to Withdraw Abandonment under 37 CFR § 1.181 filed February 4, 2003, and the papers filed therewith. Also attached are copies of the facsimile cover sheet of the courtesy copy of the Petition to Withdraw Abandonment under 37 CFR § 1.181 filed February 4, 2003, and the papers filed therewith that were sent to Examiner Zarneke on November 3, 2003.

Applicant respectfully requests consideration of the Petition to Withdraw Abandonment under 37 CFR § 1.181 filed February 4, 2003. Applicant respectfully requests that the abandonment entered on January 20, 2003, be withdrawn.

Applicant does not feel that a fee is necessary at this time, but if the sum of \$130.00 is due under 37 C.F.R. § 1.17 (h), the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely and acceptable to the Deposit Account No. 20-0782/AMAT/4714.P1/KMT.

Respectfully submitted,

  
Keith M. Tackett  
Registration No. 32,008  
MOSER, PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd., Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Assignee



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2003 JAN 22 PM 1:00

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

\$1F 11-13-02

32588 7590 08/13/2002  
APPLIED MATERIALS, INC.  
2881 SCOTT BLVD. M/S 2061  
SANTA CLARA, CA 95050

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EXAMINER  
ZARNEKE, DAVID A.  
ART UNIT  
2827 438-685000  
CLASS-SUBCLASS

DATE MAILED: 08/13/2002

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,266	10/03/2000	Ming Xi	004714 P01	4642

TITLE OF INVENTION: METHOD AND APPARATUS FOR DEPOSITING REFRactory METAL LAYERS EMPLOYING SEQUENTIAL DEPOSITION TECHNIQUES TO FORM A NUCLEATION LAYER

## Match and Return

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1280	\$0	\$1280	11/13/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B: If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



NOV 22 2004

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PCMaster v3.03.02 - Applied Materials - [Patent]

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Docket Number: 004714

Attorney:

Walter Benjamin Glenn

1-24-2003-This just in from Patent Office - sent to Todd, cc'd ben to contact PTO regarding late mailing of PTO docs to AMAT/SRG

1 P E

Created	Updated	Message
02/06/2001		02/06/2001 signatures to MW on
02/21/2001		03/08/2002
01/15/2002		10/31/2001
02/21/2002		03/08/2002 FOR LU & LAI./DB
05/23/2002	05/03/2002	05/06/2002 To TP/SRG
11/13/2002	01/24/2003	1-24-2003-This just in
02/20/2003		
		06/26/2002 W/D BROOKS AS
		07/10/2002 PWR FILED 5/2/2002
		05/24/2002
		10/15/2001 ASG DUE TO ADD LU.
		11/09/2001

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02/03/03 P1 41 FAX 408 563 6492  
Jan-3-03 (1) 11:29am From Moser, Patterson & Sheridan L.L.P.

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+713 623 4846

PATTERSON

002  
T-888 P.002/003 F-057

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Atty. Docket No. AMAT/4714.P1/TCG/WCVD/BG



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kori, et al.

Serial No.: 09/678,266

Confirmation No.: 4642

Filed: October 3, 2000

For: METHOD AND APPARATUS FOR  
DEPOSITING REFRACTORY METAL  
LAYERS EMPLOYING SEQUENTIAL  
DEPOSITION TECHNIQUES TO  
FORM NUCLEATION LAYER

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Group Art Unit: 2827

Examiner: Zameke, David

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Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

CERTIFICATE OF MAILING 37 CFR 1.8	
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02/04/03	<i>Kent 2/6</i>
Date	Signature

**STATEMENT BY GAILE P. BAILEY**

I, Gaile P. Bailey, am providing the following statement under 37 CFR 1.181:

I am the Docketing Administrator for Applied Materials Inc., of Santa Clara, California. I am responsible for receiving and docketing every official communication from the United States Patent and Trademark Office. As of today, I have not received a Notice of Allowance for the above-identified application other than the Notice of Allowance dated August 13, 2002 that we received on January 24, 2003 in an envelope postmarked January 13, 2003. A copy of the docket record (Exhibit A) is enclosed herewith to indicate absence of timely receipt of the Notice of Allowance.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

02/03/03 11:41 FAX 408 563 6482

Jan-31-03 11:30am From-Moser, Patterson & Sheridan L.L.P.

APPLIED MATERIALS

+713 623 4846

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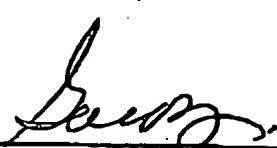
4003

T-888 P.003/003 F-057

PATENT

Atty. Docket No. AMAT/4714.P1/TCG/WCVD/BG

jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

  
\_\_\_\_\_  
Gaile P. Bailey  
Docketing Administrator  
Applied Materials, Inc.,  
P.O. Box. 458  
Santa Clara, California 95052

Date Signed: 2-3-2003

T:\Clients\APPM\4000-4999\4714.P1\PTO\Pet.Statement.Bailey.doc

8408 563 6821

ANAT IP  
From-Moser, Patten, & Sheridan 1.1.P.

01/31/03 09:18 P.002/003  
T-889 P.002/003 F-058



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Atty. Docket No. AMAT/4714.P1/TCG/WCVD/BG

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Kuri, et al.

Serial No.: 09/678,266

Confirmation No.: 4642

Filed: October 3, 2000

For. METHOD AND APPARATUS FOR  
DEPOSITING REFRACTORY METAL  
LAYERS EMPLOYING SEQUENTIAL  
DEPOSITION TECHNIQUES TO  
FORM NUCLEATION LAYER

Group Art Unit: 2827

Examiner: Zarneke, David

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Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

## **STATEMENT BY SHERI GRIFFIN**

**I. Sheri Griffin, am providing the following statement under 37 CFR 1.181:**

I am a Patent Administrator for Applied Materials Inc., of Santa Clara, California. My responsibility includes managing the documentations in connection with the prosecution of the above-identified application. I have searched the file jacket for the above-identified application and as of today, I have not found a Notice of Allowance for the referenced case other than the Notice of Allowance dated August 13, 2002 that was received on January 24, 2003 in an envelope postmarked January 13, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

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37 CFR 1.8.	
<p>I hereby certify that this correspondence is being deposited in the U.S. Mail in an envelope addressed to: Commission for Patents, U.S.P.T.O., Washington, D.C. 20231, on 02/04/03.</p> <p><b>COPY</b></p> <p><u>02/04/03</u> <u>Kurt A. Reh</u>  <u>Date</u> <u>Signature</u></p>	

8408 563 6821

AMAT IP

Jan-31-03 11:31am From-Moser, Potts & Sheridan L.L.P.

01/31/03 09:19 P.003/003

T-889 P.003/003 I-058

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Atty. Docket No. AMA1/4714.P1/ICG/WCVD/BG

jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

  
Sheri Griffin  
Patent Administrator  
Applied Materials, Inc.,  
P.O. Box 458  
Santa Clara, California 95052

Date Signed: 1-31-2003

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DOCKET No. ANASTASIA RICCIOLI  
SERIAL No. 09/1678260  
FILED: Oct 3 2004  
APPLICANT: ASIANA MATERIALS  
INVENTOR: ASIANA MATERIALS

The Patent & Trademark Office acknowledges and has stamped  
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 AMENDMENT  
 APPLICATION PAPERS - OATH/DECLARATION  
 TOTAL CLS. 1 IN 1 S. FEE \$ 100  
 SHEET(S) OF DRAWING(S) FORMAL/INFORMAL  
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 BRIEF

APPEAL NOTICE

DECLARATION

ISSUE FEE - BASE BALANCE

LETTER - CHARGE DEPOSIT ACCOUNT

LETTER

TRADEMARK/SERVICE MARK APPLICATION

PETITION TO ASIANA MATERIALS FOR ABANDONMENT

PRELIMINARY AMENDMENT

INFORMATION DISCLOSURE STATEMENT

REQUEST FOR EXTENSION OF TIME

RESPONSE TO

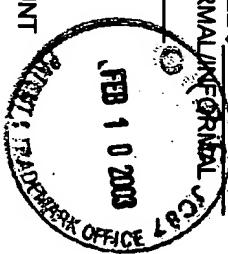
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End time : Nov-03 11:37am  
Pages sent : 011  
Status : OK  
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**FACSIMILE COVER SHEET**

**DATE:** November 3, 2003  
**FILE NO:** AMAT/4714.P1/TCG/WCVD/RKK  
**TO:** Examiner: David Zarnkeke  
**FAX NO:** 703-746-3876  
**PHONE NO:** 703-305-3926  
**COMPANY:** USPTO  
**FROM:** Keith M. Tackett  
**PAGE(S) with cover:** 11  
**ORIGINAL TO FOLLOW?**  YES  NO

\*\*\*COURTESY COPY\*\*\*  
- FEDERAL BUREAU OF INVESTIGATION -

**TITLE:** Method and Apparatus for Depositing Refractory Metal Layers Employing Sequential Deposition Techniques to Form Nucleation Layer  
**U.S. SERIAL NO.:** 09/578,266  
**FILING DATE:** October 3, 2000  
**INVENTOR:** Kori, et al.  
**EXAMINER:** David Zarneke  
**GROUP ART UNIT:** 2827  
**CONFIRMATION NO.:** 4642

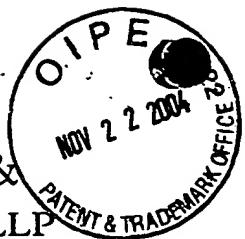
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SP on Examination  
by Reed + Content - 11/3/2003

MOSER  
PATTERSON &  
SHERIDAN, LLP

ATTORNEYS AT LAW



3040 Post Oak Blvd, Suite 1500  
Houston, TX 77056-6582  
TEL 713.623.4844  
FAX 713.623.4846  
WWW.MPSLIP.COM

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**DATE:** November 3, 2003

**FILE NO:** AMAT/4714.P1/TCG/WCVD/RKK

**TO:** Examiner: David Zarneke

**FAX NO:** 703-746-3876

**PHONE NO:** 703-305-3926

**COMPANY:** USPTO

**FROM:** Keith M. Tackett

**PAGE(S) with cover:** 11

**ORIGINAL TO FOLLOW?**  YES  NO

### \*\*\*COURTESY COPY\*\*\*

### PETITION TO WITHDRAW ABANDONMENT

**TITLE:** Method and Apparatus for Depositing Refractory Metal Layers Employing Sequential Deposition Techniques to Form Nucleation Layer

**U.S. SERIAL NO.:** 09/678,266

**FILING DATE:** October 3, 2000

**INVENTOR:** Kori, et al.

**EXAMINER:** David Zarneke

**GROUP ART UNIT:** 2827

**CONFIRMATION NO.:** 4642

### CONFIDENTIALITY NOTE

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